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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/346,930      | 07/02/1999  | MICHAEL LAMBRIGTS    | Q054844             | 3058             |

7590 11/19/2002

SUGHRUE MION ZINN MACPEAK AND SEAS  
2100 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 200373202

EXAMINER

TIEU, BENNY QUOC

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2642     |              |

DATE MAILED: 11/19/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                  |                         |
|------------------------------|----------------------------------|-------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b>           | <b>Applicant(s)</b>     |
|                              | 09/346,930                       | LAMBRIGTS ET AL.        |
|                              | <b>Examiner</b><br>Benny Q. Tieu | <b>Art Unit</b><br>2642 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 September 2002.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5, 14, 24-26, 28 and 29 is/are rejected.
- 7) Claim(s) 6-13 and 15-23 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)            | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. . | 6) <input type="checkbox"/> Other: _____ .                                   |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-5, 14, and 24-26, 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindeberg et al. (U.S. Patent No. 6,094,479).

Regarding claim 1, Lindeberg teaches an interface means (Fig. 1, CTI gateway 211) between a network switch (SSP) and a CTI server means (Fig. 1, 250) wherein said CTI gateway 211 is adapted to communicate between a service switching function device (Fig. 1, 242 or 246) having a service switching functionality and included within said network switch (SSP) and said CTI server means 250.

Regarding claim 2, Lindeberg further teaches the interface means (CTI gateway 211) includes a CTI call handling device (Fig. 1, ACD 212) adapted to receive from said CTI server means 250 a CTI call handling message and to perform on a call associated with said CTI call handling message at least one CTI call service scenario (column 10, lines 35-60).

Regarding claims 3-5 and 14, see description of Fig. 2.

Regarding claims 24 and 25, see Fig. 6.

Regarding claim 26, Lindeberg teaches an apparatus (Fig. 1, 100) for providing a service to at least one customer (Fig. 1, 260 or 270), said apparatus comprising a network switch (SSP)

which is coupled to a computer including a CTI server means (Fig. 1, 250), said CTI server means 250 being coupled via an application programming interface to an executable means, said executable means being adapted to execute said service wherein said apparatus 100 further includes interface means (Fig. 1, CTI gateway 211) coupled between said network switch (SSP) and said CTI server means (250), said interface means 211 being adapted to communicate between a service switching function device (Fig. 1, 242 or 246) having a service switching functionality (SSF) and included within said network switch (SSP), and said CTI server means (250).

Regarding claim 28, Lindeberg further teaches the apparatus includes at least one other service switching function device having a service switching functionality and being coupled to said interface means (Fig. 1 has more than one SSF).

Regarding claim 29, Lindeberg further teaches the apparatus includes at least one other CTI server means coupled to said interface means (it is inherent that there is more than one CTI server means).

***Allowable Subject Matter***

3. Claims 6-13 and 15-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

4. Applicant's arguments filed September 4, 2002 have been fully considered but they are not persuasive.

The Examiner agrees with Applicant in summary of the invention and the art of Lindeberg. However, the Examiner respectfully disagrees with Applicant in stating that Lindeberg's CTI gateway 211 is not coupled between a network switch and a CTI server means or adapted to communicate between a service switching function device included in the network switch and the CTI server means. Applicant should note that the Examiner reads the interface device IM in Applicant's claimed invention is **indirectly** coupled between a network switch and a CTI server and being adapted to communicate between a SSF device and CTI server via SCF (see Fig. 6 of Lindeberg). It should be noticed that the claimed language does not necessarily require the interface device **directly** connect between SSP and CTI, nor **directly** communicate between SSF and CTI server. Hence, the Examiner believes the Office Action stands.

Applicant argues that CTI gateway of Lindeberg patent can not be considered as an equivalent the interface means of the Applicant's invention. However, there is not any definition of "the interface means" **in the claim** to distinct the CTI gateway of Lindeberg. Clearly, CTI gateway of Lindeberg do the job as an interface between CTI server and SSP as clearly disclosed along the patent. Therefore, the Examiner believes the CTI gateway of Lindeberg is "equivalent" to the interface means of the Applicant's claimed invention.

***Conclusion***

5. Any response to this action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202.

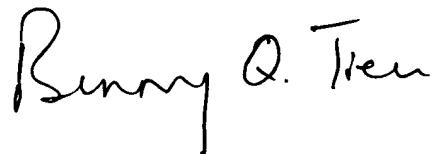
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Benny Q. Tieu  
Examiner  
Art Unit 2642

BQT  
November 17, 2002